

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
(WESTERN DIVISION)**

CIGNA HEALTH AND LIFE)
INSURANCE COMPANY,)
Plaintiff,) CIVIL ACTION NO.:
v.) 4:18-cv-00183-NKL
HMC/CAH CONSOLIDATED, INC., *et al*,)
Defendants.)

NOTICE OF FILING

COME NOW Lauren A. Horsman, and Chapman and Cowherd, P.C., and Frank Smith, and FMS Lawyer PL, and, as a supplemental to Ms. Horsman's Motion to Withdraw [Doc. #50], state as follows:

As stated in Defendants' counsel's Motion to Withdraw filed April 5, 2019, Ms. Horsman was recently appointed Mercer County Prosecuting Attorney by the Governor of Missouri. Mr. Smith is in the process of seeking substitute local counsel, and he requests thirty (30) days in which to do so. Mr. Smith's request was made in effort to expedite this Court's granting of Ms. Horsman's withdrawal, given her need to be sworn in to her new position as a governmental officer on April 18, 2019.

While good cause "can be shown by entry of appearance of substitute counsel" pursuant to Local Rule 83.2, Defendants' counsel suggests that Ms. Horsman's recent appointment to Mercer County Prosecuting Attorney, and its interplay with the current parties to this litigation, also constitutes good cause. Due to ongoing investigations by the Department of Justice, in which the parties may be subjects of such investigations, it is imperative that Ms. Horsman be permitted to

withdraw as counsel for all Defendants, as such would create a conflict of interest, or appearance of conflict of interest, with her role as a prosecutor within the State of Missouri.

Defendants' counsel recognize that the Defendant companies, as limited liability companies, cannot proceed pro se. Mr. Smith states that he recognizes he must continue as Defendants' counsel after Ms. Horsman's withdrawal and he is in the process of finding substitute local counsel. Ms. Horsman's withdrawal will not affect Mr. Smith's representation of Defendants; rather, Mr. Smith wishes to convey his understanding of the importance of finding new local counsel as expeditiously as possible and requests thirty (30) days in which to do so.

WHEREFORE, for all of the foregoing reasons, and good cause shown, counsel Lauren A. Horsman prays the Court allow her immediate withdrawal from said cause as attorney for the Defendants in this matter; that counsel Frank Smith be granted thirty (30) days to find substitute local counsel; and for such other and further relief as deemed just and proper under the circumstances.

Respectfully submitted,

CHAPMAN AND COWHERD, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of April, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, a true copy of the foregoing to be furnished via CM/ECF to all counsel of record.

/s/ Lauren A. Horsman